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Fifty-seventh session
Item 8 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Note by the Secretary-General

1. In paragraph 10 of its resolution 2000/6, the Commission on Human Rights requested the Secretary-General to provide it with all United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation.

2. The Secretary-General accordingly draws the attention of the Commission to the United Nations reports listed hereunder, which have been issued since the closure of its fifty-sixth session on 28 April 2000.

General Assembly reports and notes

A/55/13	Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East
A/55/35	Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People
A/55/84-E/2000/16	Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan: note by the Secretary-General

GE.01-10601 (E)

A/55/176 and Add.1	Right of peoples to self-determination: report of the Secretary-General
A/55/261	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories: report of the Secretary-General
A/55/262	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories: report of the Secretary-General
A/55/263	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories: report of the Secretary-General
A/55/264	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories: report of the Secretary-General
A/55/265	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories: report of the Secretary-General
A/55/373 and Add.1	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories: note by the Secretary-General
A/55/391	Persons displaced as a result of the June 1967 and subsequent hostilities: report of the Secretary-General
A/55/402	Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees: report of the Secretary-General
A/55/425	University of Jerusalem "Al-Quds" for Palestine refugees: report of the Secretary-General
A/55/428	Palestine refugees' properties and their revenues: report of the Secretary-General
A/55/453	Note by the Secretary-General transmitting the thirty-second report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories
A/55/538	The situation in the Middle East: report of the Secretary-General

A/55/570	Report of the Special Political and Decolonization Committee (Fourth Committee) on the United Nations Relief and Works Agency for Palestine Refugees in the Near East
A/55/571	Report of the Special Political and Decolonization Committee (Fourth Committee) on the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories
A/55/585	Report of the Second Committee on permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources
A/55/639-S/2000/1113	Report of the Secretary-General on the situation in the Middle East, Question of Palestine
A/55/684	Report of the United Nations High Commissioner for Human Rights on her visit to the occupied Palestinian territories, Israel, Egypt and Jordan: note by the Secretary-General transmitting document E/CN.4/2001/114

Security Council report

S/2000/460	Report of the Secretary-General on the implementation of Security Council resolutions 425 (1978) and 426 (1978)

Commission on Human Rights reports

E/CN.4/2001/114	Report of the High Commissioner on Human Rights on her visit to the occupied Palestinian territories, Israel, Egypt and Jordan (8-16 November 2000)
E/CN.4/S-5/3	Mission report on Israel's violations of human rights in the Palestinian territories occupied since 1967, submitted by Mr. Giorgio Giacomelli, Special Rapporteur

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Update to the mission report on Israel's violations of human rights in the Palestinian territories occupied since 1967, submitted by Giorgio Giacomelli, Special Rapporteur, to the Commission on Human Rights at its fifth special session

1. In response to the grave human rights situation accompanying the escalation of violent confrontations in the occupied Palestinian territories in late September 2000, the Special Rapporteur undertook a mission from 11 to 15 October 2000 in order to assess the situation on the ground. He consulted many interlocutors from Israeli and Palestinian NGOs, international organizations, United Nations agencies, Palestinian Authority representatives and survivors of those killed, as well as individuals wounded in the confrontations.

2. Following a request made on behalf of the Council of Arab Permanent Representatives of Members of the League of Arab States, the Commission on Human Rights subsequently convened its fifth special session from 17 to 19 October 2000 to discuss the grave and massive violations of the human rights of the Palestinian people by the Israeli occupying Power. The Commission's decision to convene the special session provided the opportunity for the Special Rapporteur to present his mission report (E/CN.4/S-5/3) to the Commission's attention as a reference for its deliberations.

3. On 19 October 2000, the Commission, at its fifth special session, adopted resolution S-5/1, which the Economic and Social Council endorsed in its decision 2000/311 on 22 November 2000.

4. Consistent with that resolution, the High Commissioner for Human Rights undertook a visit to the Middle East from 8 to 16 November 2000. On 19 December 2000, the Chairman of the Commission on Human Rights appointed three eminent persons to a human rights commission of inquiry, which was dispatched to the occupied Palestinian territories from 10 to 18 February 2001 to investigate human rights violations and breaches of international humanitarian law. The Commission has before it the reports of both the High Commissioner (E/CN.4/2001/114) and the commission of inquiry (E/CN.4/2001/121).

5. As has been the case for this Special Rapporteur since his appointment in 1999, the Israeli authorities have not cooperated with the thematic rapporteurs who have asked to visit the country since the adoption of resolution S-5/1. On 2 January 2001, Ambassador Yakov Levy informed the thematic rapporteurs: "Israel will not cooperate in the implementation of the operative part of the resolution".

6. The Special Rapporteur draws the Commission's attention, once again, to the determinations of the treaty bodies reaffirming that Israel has maintained "effective control" in all of the occupied Palestinian territories and, therefore, holds treaty obligations to implement human rights there.[1] While this interpretation has not changed, it is worth noting that, since the Commission's special session, the Committee on Economic, Social and Cultural Rights has reiterated its position to the Government of Israel, once again requesting that it submit information on the implementation of economic, social and cultural rights as required under the Covenant.[2] In order to facilitate Israel's fulfilment of this obligation, the Committee has scheduled to review Israel's belated report at a special meeting during its forthcoming twenty-fifth session, on 4 May 2001.

7. The present report is to be read in conjunction with the reports that the Special Rapporteur submitted to the Commission at its fifty-sixth session (E/CN.4/2000/25) and the report he submitted following his mission to the occupied Palestinian territories in October 2000 (E/CN.4/S-5/3). The Special Rapporteur stands by his previous reports and advice to the Commission. In the meantime, the Special Rapporteur has sought out, received, compiled and analysed relevant information from the prolific record produced by various media, among them sources on the ground, the press, and international organizations, including United Nations agencies, human rights bodies and Member States. The continuing grave and deteriorating conditions since the special session reaffirm the validity of the framework and emphasis of the Special Rapporteur's analysis.

8. The Israeli military have continued to use excessive force in the form of live ammunition, rubber-coated metal bullets and tear gas against civilian demonstrators and bystanders.[3] This disproportionate and unrestrained use of force has increased the Palestinian civilian death toll and injuries dramatically, reportedly killing some 400 Palestinians since 28 September 2000 and injuring as many as 14,000.[4]

9. The Special Rapporteur encourages the Commission to take into consideration the continuation and escalation of Israel's previously reported violations of the occupied population's human rights. However, the Special Rapporteur is of the view that a detailed recounting of the statistical data here would be an elusive undertaking that would not essentially alter the message the Special Rapporteur has already presented to the Commission. Rather, the

Special Rapporteur believes that the Commission's deliberations would be served best by a presentation of some aspects of the human rights situation that have come to light since the special session, particularly in the past few weeks. These are discussed below under the following headings:

A. Emerging patterns;

B. Cumulative and exponential consequences of ongoing violations;

C. Developments in the political context.

A. Emerging patterns

10. Certain violations, though not new to the human rights landscape of the occupied Palestinian territories, have graduated from sporadic or incidental occurrences to a noteworthy level of regularity.

Extrajudicial executions

11. Since October, radio and print media have reported Israeli military officers admitting that the army has operationalized a policy of extrajudicial execution against Palestinians it suspects of committing attacks against Jewish settlers or Israeli soldiers in the occupied Palestinian territories. As Israeli spokespersons have explained, "most operations were carried out by snipers".[5] However, Israeli extrajudicial execution has involved the assassination of at least 13 individuals targeted by way of ambush, employing undercover units, including mostaravim (gunmen posing as Arabs), and heavy weapons, including helicopter-mounted artillery.

12. The relevant humanitarian law standards provide that, in all circumstances, persons accused of illegal acts shall benefit from the safeguards of a proper trial and defence.[6] Humanitarian law considers such wilful killing to be within the category of grave breaches, as stipulated in the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War (art. 147)[7] and obliges High Contracting Parties to prosecute those responsible (art. 146).

Rights to housing and property

13. House and property demolition has emerged as a consistent pattern. Between September 2000 and February 2001, Israeli forces destroyed at least 773 family homes (180 completely).[8] In some instances, occupation forces have targeted Palestinian residential areas with artillery, as in the areas of Netzarim, Khan Younis, Rafah and Dayr al-Balah, in the Gaza Strip, and in the Old City of Hebron, Beit Jala, Bayt Sahur, Bethlehem, Jericho and al-Bireh, in the West Bank. The Israeli destruction of Palestinian agricultural lands and crops has escalated dramatically throughout the occupied Palestinian territories. Israeli sources claim that house and farm destruction serves the security needs of Jewish settlers and settlements.[9] However, this practice violates the Fourth Geneva Convention's prohibitions against collective punishment (art. 33) and illegal acts of destruction (art. 53), as well as the Universal Declaration of Human Rights (art. 25).

The right to food

14. According to United Nations statistics, the poverty rate across the occupied Palestinian territories has increased since the end of September 2000, with the number of Palestinians living on less than US$ 2 per day growing from 650,000 to 1 million. The combined consequences of Israel's intensified policy of closure have affected civilian livelihoods and raise concern over Israel's denial of Palestinians' right to food.[10] The recent humanitarian response, however inadequate to meet current needs, is an indicator of the crisis. As of November 2000, the World Food Programme (WFP) drew on its emergency food reserves, and subsequently carried out an emergency operation (EMOP) to distribute wheat flour to 13,000 families (outside the refugee camps) newly impoverished by the Israeli closure and economic siege. UNRWA is also struggling to provide basic food supplies to the needy refugee population and has appealed for US$ 37.2 million in emergency aid, including food aid.

15. On 18 December 2000, Physicians for Human Rights, an Israeli NGO, petitioned the High Court of Israel to order the Minister of Defence and the Israel Defence Forces to ensure the immediate and regular supply of food and medicine to Palestinian residents of the territories.[11] At the time of writing, WFP is urgently seeking funds for a three-month EMOP, following a weak donor response to its appeal at the end of last year.[12]

Torture, prisons, detentions and juvenile justice

16. While Israel's alleged use of torture and prison conditions, in general, remain of concern to the human rights community, the Special Rapporteur takes note of the re-emergence of Israel's practice of administrative detention and the detention of juveniles. Recent cases of physical abuse under Israeli detention include Palestinians held for reasons of security, including some as young as 16 years old.[13]

17. Israeli Military Order 132 allows for the arrest and detention of Palestinian children aged from 12 to14 years. At the beginning of the current intifada, some 70 Palestinian minors were reportedly detained in Israeli prisons. Since then, this number has increased to more than 250. These children range in age from 14 to 17 years, of whom at least 105 are from Jerusalem.[14] This category of violation involves subjecting juveniles to detention with adult prisoners and criminal convicts. Such practices contravene provisions of the Convention on the Rights of the Child, the Convention against Torture and Other Forms of Degrading Treatment or Punishment, the Fourth Geneva Convention, the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty, and the Standard Minimum Rules for the Administration of Juvenile Justice.

Press freedom

18. Interference with freedom of expression and the press has arisen since the Special Rapporteur's report of March 2000.[15] It has taken the form of Israeli soldiers and settlers carrying out physical attacks on journalists, destruction of their property, arbitrary arrest and other forms of interference through the use of force and abuse of power. As of February 2001, such assaults, ranging from beatings to shooting with live bullets and shrapnel, resulted in at

least 39 journalists being injured, including 7 foreign journalists. Administrative interference with journalistic activities has involved the Israel press authority's arbitrary cancellation of press credentials.[16]

B. Cumulative and exponential consequences of ongoing violations

19. The violations of the civilian Palestinian population's individual and collective rights largely replicate the patterns of Israel's behaviour already discussed in the Special Rapporteur's two previous reports. However, the Commission should be aware that, in certain sectors, these ongoing violations have achieved a "critical mass" and pose interrelated consequences.

Economic rights

20. Israeli officials have openly admitted a strategy of restricting the Palestinian economy with the intent and purpose of effecting social control.[17] Israel's specific tactics affecting Palestinian economic rights remain as previously reported,[18] with the added consequences of Israel's withholding of tax revenues due to the Palestinian Authority.

21. In the fourth quarter of 2000, Palestinians in the occupied territories have experienced the most severe Israeli-imposed closure since 1967, with 72 days of lost labour. Estimated wage losses alone amount to US$ 8.6 million for each of 105 closure days from 9 October 2000 to the end of January 2001, or a total of US$ 907.3 million in wages lost to Palestinian labourers for that period. The Palestinian unemployment rate has jumped from 11 per cent, before the onset of the current crisis, to 38 per cent (243,000 workers) over the period October 2000-January 2001. Israeli restrictions on civilian movement within the occupied Palestinian territories have dramatically increased transport time and costs for Palestinians on most regularly travelled routes, hampering commerce.[19] It is reported that the cumulative effects of Israel's strategy to cripple the Palestinian economy has cost the occupied territories 50.9 per cent of their GNP, with construction, commerce and the agriculture/fishing sectors being the hardest hit.[20] As a result, the poverty rate for Palestinians has risen from 21.1 per cent, in September 2000, to 31.8 per cent, at the end of 2001.

22. The spending of reserves is an important indicator of the economic impact. Both household savings and public sector reserves have been depleted. The Palestinian Authority risks quadrupling its anticipated deficit by the end of 2000 to US$ 100 million,[21] making Israel's punitive withholding of some US$ 50 million in Palestinian Authority tax revenues all the more crushing.[22] According to United Nations sources, the impact of Israel's policies in terms of total estimated income losses for the Palestinian economy are many times greater than the total amount of international donor assistance in the same period.[23] Available statistics on economic losses do not include the costs of properties destroyed or damaged by Israel, nor the high cost of health services for the treatment of those Palestinians wounded and disabled in confrontations with occupation forces.

Children's rights

23. The effect of human rights violations on children is both disproportionate and cumulative. From 29 September to end February 2001, Israeli settlers and soldiers killed approximately 145 Palestinian children under 18, of whom at least 59 were under 15 years of age.[24] An overwhelming 72 per cent of child deaths have resulted from gunshot wounds in the upper body (head and chest), which may indicate a "shoot-to-kill" policy.[25] The Israeli forces have injured more than 2,000 Palestinian children, over 80 over cent of them with live ammunition or rubber-coated metal bullets. It is too early to know the number of permanent disabilities that have been caused by the current violence; one estimate indicates that 1,500 Palestinians have been permanently disabled, many of them children.[26]

24. In addition to the health consequences for those directly injured by the use of force and firearms, a larger group is prevented from realizing their right to education. Educators, health workers and human rights organizations have reported that many of the 865,540 registered schoolchildren in the occupied Palestinian territories are now suffering high levels of post-traumatic stress disorder and related symptoms as a result of the ongoing violence.[27] With Israeli forces having damaged 30 schools and forced 41 to close,[28] the achievements in Palestinian education resulting from the considerable efforts of the Palestinian Authority and the international community are now at risk of reversal.

Right to health

25. Amid the prevailing threats to Palestinians' right to life, the Palestinian health system risks collapse, but for the efforts of defenders of the right to health, including medical personnel and relief workers. The nature and sheer scale of the current medical emergency is characterized by live ammunition and artillery injuries, multiple-organ damage and grave case-management problems relating to the long-term treatment and rehabilitation required for the 0.5 per cent of the Palestinian population stricken. Israel's closure and siege of Palestinian areas and movement restrictions undermine the entire primary health-care system, including immunization and other preventive programmes, as well as secondary and tertiary health services. Moreover, Israel's outright damage and destruction of health facilities has involved the injuring and killing of health workers, the destruction of ambulances, utility cuts and artillery strikes on hospitals.[29]

Territorial and social fragmentation

26. Israel's territorial fragmentation of the occupied Palestinian territories, which the Special Rapporteur has reported previously, is significantly more severe now, separating Jerusalem from the rest of the West Bank, segmenting the Gaza Strip into four parts[30] and breaking up the West Bank into some 60 discontiguous zones by blocking the movement of people and goods among them. Since 6 October, the Israeli occupation authorities have closed the "safe passage" between the Gaza Strip and the West Bank. It has been estimated that, in the current circumstances, some 900,000 Palestinians, or 30 per cent of the population of the occupied territories, have been negatively affected by Israeli restrictions on civilian freedom of movement.[31]

27. The social and cultural impact of territorial fragmentation does not lend itself easily to a summary in numerical terms, but the scenario in that area is no less severe than that depicted in relation to the economic rights data. The toll of Palestinian deaths and injuries resulting from Israel's excessive use of force has had cumulative and exponential social effects.[32] By all accounts, this has demoralized the civilian population, on the one hand, but has further galvanized Palestinian determination to resist Israeli occupation, with understandable consequences in the political domain.

C. Developments in the political context

28. In his reporting to the Commission, the Special Rapporteur has referred to some of the uncertainties that have created a limbo in the environment in which these human rights issues are played out. While human rights, as such, provide their own independent criteria, their implementation has to be placed in their political context. What is new vis-à-vis the Special Rapporteur's previous reports, and has emerged only a matter of days ago, is that the situation has taken a new turn, as various parties have concluded that the Oslo process is to be put aside.[33] While both parties have expressed a desire to continue the dialogue, the polarization of their positions indicates that the conflict, with its concomitant human rights violations, is bound to continue.

29. It is in this context that the use of force has escalated on both sides. The roles and responsibilities on the Palestinian side, while outside this Special Rapporteur's mandate, remain unclear and difficult to ascertain. This is particularly so in the light of the ambiguities in the Oslo Agreements and their implementation with regard to functions of the Palestinian civil police and security bodies.

30. New developments at the political level, greater polarization between the Israeli and Palestinian societies and increased resort to violent and destructive force in the absence of a peace process characterize the current trend. This presents a backdrop for drafting a new chapter in the analysis of the political context in which, realistically speaking, the human rights standards are to be applied.

Conclusions and recommendations

31. Some interlocutors had expressed the hope that the final collapse of unproductive negotiation efforts under the Oslo process would inspire a new framework for a peace process grounded in human rights and international law. That hope seems to have given way to a sense that the present conflict will continue.[34] This paradigm shift makes the international efforts at implementing human rights all the more imperative. In this report of the Special Rapporteur's findings, it remains fitting to point out that only one of the Special Rapporteur's specific recommendations for urgent action has been carried out: establishing a speedy and objective mechanism of inquiry. The remaining recommended actions remain untried.

32. Among those remains the need to apply in earnest the international standards for policing and law enforcement. These standards are part and parcel of the human rights framework to be applied in the remedial measures required to respect, protect, promote and fulfil all human rights. The Special Rapporteur notes the apparent lack of such a civil law-enforcement function among

Israel's forces in the occupied Palestinian territories. While this observation may not reflect a new trend, the militarized situation since September 2000 makes more urgent the need to train and discipline forces on the ground according to international standards. The goal of maintaining law and order underscores the need for demilitarization, especially in the light of the escalating resort to military tactics on both sides.

33. The Special Rapporteur also would like to re-emphasize the importance and urgency of international protection for the Palestinian people in the occupied territories. In so doing, he endorses the recommendations made by the High Commissioner for Human Rights in her report on her visit to the occupied territories (E/CN.4/2001/114) and Security Council resolution 1322 (2000) of 7 October 2000 to that effect.

34. The Special Rapporteur recognizes that, as of today, the purpose of protection enshrined in humanitarian law, in particular in the Hague Regulations and the Fourth Geneva Convention, has not been served in the occupied Palestinian territories. It has to be noted that, while the principal responsibility lies with the occupying Power, all the other High Contracting Parties also bear responsibility for ensuring respect for these provisions. The Special Rapporteur, therefore, welcomes the General Assembly's initiative relating to effective application of the Fourth Geneva Convention and looks forward to the follow-up pledged by the High Contracting Parties at their conference on 15 July 1999. To this end, the Special Rapporteur wishes to acknowledge that there remains a range of options available to ensure respect through collective action, joint action and bilateral measures under the Fourth Geneva Convention, as well as the Charter of the United Nations.

35. The Special Rapporteur remains convinced that the current conflict is rooted in accumulated grievances and resentment at the continuing violations of human rights and humanitarian norms under Israeli occupation. He is particularly concerned that any progress at confidence-building achieved between the two sides may be irretrievably lost. This signals the urgent need to adopt measures towards restoring confidence and rekindling hope in a durable peace. Indeed, the Special Rapporteur stresses, once again, that international law should be respected not only for obvious juridical and ethical reasons, but in the interest of the parties themselves. In fact, international law and, in particular, human rights and humanitarian norms form the indispensable foundation of any just and lasting solution.

Notes

[1] See the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/304/Add.45) and the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.27), as cited also in the Special Rapporteur's report E/CN.4/S-5/3 of 17 October 2000, para. 6.

[2] Letter of the Chairperson of the Committee on Economic, Social and Cultural Rights, Virginia Bonoan-Dandan to Mr. David Peleg, the Permanent Representative of Israel to the United Nations Office and Specialized Agencies at Geneva, 1 December 2000.

[3] Bureau of Democracy, Human Rights, and Labor, United States Department of State, "Israel" and "Occupied Territories", Country Reports on Human Rights Practices 2000 (Washington: GPO, February 2001).

[4] As of 15 March 2001. These figures reflect the number of injured Palestinians treated in health facilities, as reported by the Palestinian Ministry of Health (West Bank) and the Palestinian Center for Human Rights (Gaza). Health, Development, Information and Policy Institute (HDIP) Web site: www.hdip.org. These figures are regularly subject to change.

[5] "Israel admits 'shoot-to-kill' policy against Palestinian militants", Agence France Presse, 21 December 2000; "IDF source: seeking out terrorists is effective", The Jerusalem Post, 21 December 2000; Roni Shaked, "Elimination of another PA official: senior Fatah man assassinated", Yedioth Ahronoth, 1 January 2001, p. 8; Human Rights Watch, "End liquidations of Palestinian suspects Israel" (New York, 29 January 2001).

[6] Articles 105 and 146.

[7] Article 147 states: "Grave breaches ... shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or wilfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly."

[8] Al-Mezan Center for Human Rights Report (February 2001) (www.mezan.org).

[9] Phil Reeves, "Israeli destruction of homes fuels hatred in Gaza", The Independent, 7 December 2000.

[10] International Covenant on Economic, Social and Cultural Rights, article 11. Israel ratified the Covenant in 1991.

[11] Moshe Reinfeld, "Doctors demand free flow of food and medicine to territories: Physicians for Human Rights asks for High Court's intervention", Ha'aretz, 20 December 2000.

[12] World Food Programme, WFP Emergency Report No. 9, 2 March 2001 (revised on 5 March 2001), Web site: www.wfp.org.

[13] Addameer Prisoners Support and Human Rights Association, "Report on Palestinian Prisoners as of 29 September 2000" (based on visits by Addameer's attorney Sahar Francis to Israeli interrogation centres), 1 November 2000; see also LAW Society press releases of 30 November 2000 and 23 January 2001.

[14] Defence for Children International/Palestine Section, press release 0001/01, 15 January 2001.

[15] E/CN.4/2000/25 of 15 March 2000.

[16] LAW Society, "Attacking journalists: Israeli forces violate Palestinian right to freedom of expression", press release, 19 February 2001. HDIP notes 44 cases, op. cit., citing Al-Mezan report on Israeli attacks on journalists (25 November 2000) and al-Ayyam newspaper, 26 January 2001.

[17] "Israel targets Palestinian economy", Ha'arezt (English edition) 17 November 2000; "Israel blockade strangles those who survive: the Jewish State is suffocating the Palestinian territories through a tight economic blockade in an attempt to erode the will of its people", Reuters, 29 November 2000; Lee Hockstader, "Sanctions suffocating Gaza's fragile economy", Washington Post, 6 December 2000, p. A01.

[18] E/CN.4/2000/25, pp. 10-11, 14-16.

[19] United Nations Special Coordinator in the Occupied Territories (UNSCO), "The impact on the Palestinian economy of confrontations, mobility restrictions and border closures, 1 October 2000 to 31 January 2001", (Gaza: UNSCO, 25 February 2001), p. 3.

[20] Ibid., p. 6.

[21] Ibid., p. 14.

[22] "Waking up to life under Sharon", The Economist (17-23 March 2001), p. 51. Related PA tax and customs revenues are currently at US$ 45 million per month, or about half the rate during the period January-September 2000. Figures provided by IMF, November 2000-February 2001, in UNSCO, op. cit., p. 12.

[23] United Nations sources estimate losses for the period at $1,150,700,000, of which $907,300,000 derive from losses in domestic output/income and $243,400,000 from losses in labour earnings in Israel. UNSCO, op. cit, p. 9.

[24] As of 9 March 2001. Palestinian Ministry of Health, www.pna.org/moh/Alaqsa stat0903.htm.

[25] Amira Hass, "Don't shoot till you can see they're over the age of 12", Haaretz, 20 November 2000.

[26] HDIP, Health Care Under Siege II, HDIP, op. cit.

[27] For example, see Al-Mezan, "The destruction of civilian properties and the comprehensive closure of the occupied Palestinian territories" (Gaza: Al-Mezan, 9 November 2000); Interview with Dr. Samir Qouta, Gaza Community Mental Health Project, Gaza, 27 November 2000, cited in Save the Children, "Children's rights to education in Palestine" (15 March 2001).

[28] Palestinian Ministry of Education report (3 November 2000) and Al-Mezan report on education (8 December 2000), cited in HDIP, op. cit., www.hdip.org.

[29] HDIP, Health Care Under Siege II, HDIP, op. cit.

[30] Since 23 February 2001, Israeli forces divided the Gaza Strip into four zones: (i) between ash-Shuhada Crossing to the south and Bait Hanun to the north, (ii) between ash-Shuhada Crossing to the north and Kufar Darum to the south, (iii) between Kufar Darum to the north and Rafah to the south, and (iv) the Mawasi area, between Khan Yunis and Rafah.

[31] UNSCO report, op. cit., p. 11.

[32] "Further deterioration of normal societal functions", Closure Update No. 33 (Gaza: Palestinian Center for Human Rights, 22 February 2001), pp. 7-10.

[33] Lee Hockstader, "Jerusalem is 'indivisible', Sharon says: Camp David concessions are called 'null and void'", Washington Post, 8 February 2001.

[34] See Palestinian public opinion poll conducted on 21-24 December by the Jerusalem Media and Communications Center, released 26 December 2000.

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QUESTIONS OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

THE QUESTION OF HUMAN RIGHTS IN CYPRUS

Report of the Secretary-General submitted pursuant to Commission on Human Rights decision 2000/103

1. The Commission on Human Rights, in its decision 2000/103 of 18 April 2000, decided, without a vote, to retain on its agenda sub-item (a), entitled "Question of human rights in Cyprus", of the item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world" and to give it due priority at its fifty-seventh session, it being understood that action required by previous resolutions of the Commission on the subject (see resolution 1987/50, its most recent on this subject), would continue to remain operative, including the request to the Secretary-General to provide a report to the Commission regarding their implementation. The present report is submitted pursuant to that decision and is based on United Nations activities, namely the Secretary-General's mission of good offices, the United Nations Peacekeeping Force in Cyprus (UNFICYP) and the Committee on Missing Persons in Cyprus, from December 1999 to 30 November 2000.

2. Since his previous report to the Commission on Human Rights, in February 2000 (E/CN.4/2000/26), the Secretary-General's personal efforts have continued to be aimed at achieving a comprehensive settlement of the Cyprus problem. To this end he has been assisted by his Special Adviser on Cyprus, Mr. Alvaro de Soto, and his Acting Special Representative and Chief of Mission of UNFICYP, Mr. Zbigniew Wlosowicz, who assumed his post on 15 June 2000.

Mission of good offices

3. Pursuant to Security Council resolution 1250 (1999) and in response to the Secretary-General's invitation, Mr. Glafcos Clerides and Mr. Rauf Denktash agreed to start proximity talks in New York on 3 December 1999 in order to prepare the ground for meaningful negotiations leading to a comprehensive settlement. The first round of talks, which continued until 14 December 1999, was followed by sessions in Geneva from 31 January to 8 February 2000. The talks were facilitated by the Secretary-General's Special Adviser, Mr. de Soto, who was assisted by a small team of Secretariat and UNFICYP staff and international consultants as required. Further sessions were held in July-August 2000 in Geneva, in September 2000 in New York and again in Geneva in October-November 2000. Mr. de Soto also met with the two leaders during visits to Cyprus on four occasions during the year, and has held discussions in Athens and Ankara during his trips to the region.

Activities of the United Nations Peacekeeping Force in Cyprus (UNFICYP)

4. Pending a settlement, UNFICYP has continued, within its mandate, to perform humanitarian tasks in support of Greek Cypriots, Turkish Cypriots and others living in areas where they constitute a minority. This activity has included contact with 428 Greek Cypriots and 165 Maronites living in the northern part of the island, to whom UNFICYP has continued to deliver foodstuffs, welfare payments and other supplies from the south, and for whom it has facilitated temporary travel to the south for family and other reasons. Regarding the easing of certain restrictions on movement between the two sides, which the Turkish Cypriot authorities announced in May 2000, crossing fees imposed by them in 1988 have been reduced from £15 to £1. However, Greek Cypriots seeking to extend their visits to relatives living in the Karpas area have encountered obstacles. The Turkish Cypriot authorities have been less forthcoming than in the past with respect to crossings arranged by UNFICYP for humanitarian reasons.

5. Greek Cypriots and Maronites residing in the north are still precluded effectively from bequeathing immovable property to Greek Cypriot or Maronite heirs who are resident elsewhere. The Turkish Cypriot authorities reviewed 120 schoolbooks provided for the Greek Cypriot School in Rizokarpaso. They were ultimately delivered to the school, except for approximately one third, whose contents were considered objectionable.

6. UNFICYP has also maintained its regular liaison visits to a number of Turkish Cypriots living in the southern part of the island who have made themselves known to the Force, and from time to time has assisted those people in arranging meetings with family members living in the north.

7. UNFICYP continued its efforts to encourage contact and cooperation between Greek Cypriots and Turkish Cypriots and to build trust through the promotion of activities which could bring them into contact in a positive atmosphere. These activities continued, despite the ongoing restriction on participation by Turkish Cypriots imposed by the Turkish Cypriot authorities. Social gatherings involving members of the general public were held, as well as meetings of

political party representatives, professional forums, youth workshops and discussions among business representatives and others. For its part, the Turkish Cypriot side cites the irrelevance of such contacts whilst the embargoes imposed by the Greek Cypriot authorities (mentioned in document S/1998/488) persist.

8. Since the beginning of March 2000, three visits were made by Greek Cypriot pilgrims to the Apostolos Andreas monastery in the Karpas area in the north. Groups of Turkish Cypriots travelled on one occasion to Hala Sultan Mosque near Larnaca in the south, and twice through the south to Kokkina in the west of the island. These trips involved in total over 4,500 people. No further visits have taken place since the Greek Cypriot authorities cancelled a planned August trip by Turkish Cypriots to Kokkina, in response to military activity by the Turkish forces in the village of Strovilia.

9. UNFICYP continued to monitor the situation in the fenced area of Varosha, which continued to change. During the period under review, the refurbishment of an additional building was completed and work started on two more buildings. The United Nations continues to hold the Government of Turkey responsible for maintaining the status quo in Varosha.

Missing persons

10. After an interruption of more than three years, the Committee on Missing Persons in Cyprus in January 2000 held its one hundred and eighty-third session and discussed the possibility of resuming its investigative work. Following the untimely death of the third member of the Committee, Ambassador Jean-Pierre Ritter, on 17 January 2000, his first assistant has worked with the Greek Cypriot and Turkish Cypriot members to overcome obstacles and enable the Committee to resume its activities and to reach binding decisions. This effort continues.

11. The first assistant to the third member has also remained at the disposal of the two sides to assist them as necessary with the implementation of the 31 July 1997 agreement on missing persons concluded by Mr. Clerides and Mr. Denktash. Although outside of the sphere of the Committee, the agreement represents an important guarantee for the families of the missing persons. In 1998, the two sides, which are solely responsible for its implementation, had provided each other with information at their disposal on the location of graves of Greek Cypriot and Turkish Cypriot missing persons. In addition to other unilateral measures, the Greek Cypriot side has undertaken exhumation and identification of remains. However, the two sides have not yet been able to work out arrangements for the exchange of the remains.

Other reports

12. The activities of UNFICYP, including those relating to its humanitarian responsibilities, are described in the Secretary-General's most recent reports to the Security Council (S/2000/496 and S/2000/1138).

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COMMISSION ON HUMAN RIGHTS
Fifty-seventh session
Agenda item 9 (a)

QUESTIONS OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

THE QUESTION OF HUMAN RIGHTS IN CYPRUS

Report of the Secretary-General submitted pursuant to Commission on Human Rights decision 2000/103

1. The Commission on Human Rights, in its decision 2000/103 of 18 April 2000, decided, without a vote, to retain on its agenda sub-item (a), entitled "Question of human rights in Cyprus", of the item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world" and to give it due priority at its fifty-seventh session, it being understood that action required by previous resolutions of the Commission on the subject (see resolution 1987/50, its most recent on this subject), would continue to remain operative, including the request to the Secretary-General to provide a report to the Commission regarding their implementation. The present report is submitted pursuant to that decision and is based on United Nations activities, namely the Secretary-General's mission of good offices, the United Nations Peacekeeping Force in Cyprus (UNFICYP) and the Committee on Missing Persons in Cyprus, from December 1999 to 30 November 2000.

2. Since his previous report to the Commission on Human Rights, in February 2000 (E/CN.4/2000/26), the Secretary-General's personal efforts have continued to be aimed at achieving a comprehensive settlement of the Cyprus problem. To this end he has been assisted by his Special Adviser on Cyprus, Mr. Alvaro de Soto, and his Acting Special Representative and Chief of Mission of UNFICYP, Mr. Zbigniew Wlosowicz, who assumed his post on 15 June 2000.

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